REMARKS

Claims Rejections – 35 USC § 102

The rejection of claims 1-12 under 35 U.S.C. 102(b) as being anticipated by Nilsen et al. (U.S. 6,872,239) is respectfully traversed for the reasons now following.

Nilsen et al. discloses a method and a system for the separation of oil from water in an oil-water emulsion by means of a separator tank. In a preferred embodiment, the oil-water emulsion is pretreated by subjecting it to a coalescing operation in coalescer 15.

Turning first to independent assembly claim 6, and claims 7-9 dependent thereon, the coalescer 15 of Nilsen et al. is simply shown as a box in Figures 1 and 2 and is not physically described anywhere in the specification. In particular, nowhere in Nilsen et al. is an assembly disclosed comprising a coalescer which comprises "an elongated closed vessel forming a chamber having a circular cross-section and a longitudinal axis, said vessel consisting essentially of an inlet at one end, for introducing the slurry stream into the vessel to cause the slurry stream to rotate about the vessel's longitudinal axis, and an outlet at its other end, for expelling treated oil sand slurry", as claimed in claim 6.

With respect to independent process claim 1, and claims 2-5 and 10-12 dependent thereon, the Nielsen et al. process of coalescing the dispersed phase in an oil-water emulsion is described in column 5, lines 22-42, as involving subjecting the emulsion to microwave radiation to heat the water but not the oil in the emulsion to obtain a kind of pre-separation of the components of the emulsion before the latter reaches the gravity separator 11 (see, in particular, lines 24-30). Nilsen et al. goes on to say in column 5, lines 39-42, that alternatively or as a supplement to the microwave device, the coalescer may include an electrostatic device or an ultrasound generator.

Nowhere does Nilsen et al. disclose a process comprising coalescing bitumen droplets contained in an oil sand slurry by injecting the slurry stream through a coalescer inlet to cause the slurry to rotate as it advances longitudinally through the chamber, so that bitumen droplets move inwardly toward the chamber axis and are concentrated, thereby increasing the probability of bitumen droplet contact, coalescence and growth, as claimed in claim 1. It is the centrifugal force (as a result of the rotation) which causes the heavier solids (*e.g.*, sand) in the slurry to move towards the outside of the coalescer and the lighter bitumen droplets to then migrate towards the center of the coalescer to coalesce. Thus, coalescence occurs by subjecting the slurry to centrifugal forces to concentrate the bitumen droplets in the center of the coalescer to increase the probability that the bitumen droplets may contact, coalesce and grow into larger droplets. Coalescence by subjecting an oil-water emulsion to microwaves to heat the water or an electrostatic field to charge the water droplets, as contemplated by Nilsen et al., is not utilized in the present invention.

In summary, it is respectfully submitted that Nilsen et al. does not disclose either the process as claimed in claims 1-5 and 10-12, nor the assembly as claimed in claims 6-9. Favorable consideration is respectfully requested.

With respect to the amendment to claim 1, the recovering of the bitumen which is implicit in claim 1 is now made explicit. With respect to new claim 13, it provides additional unobvious subject matter, and is supported by the specification, lines 8 and 9.

In view of the arguments presented by Applicant herein, Applicant submits that the claims of the present application are in a condition for allowance and such allowance is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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